

Article 1 Title, Purpose and Authority

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1-1 Title.

This Ordinance, and the official Zoning Map which is a part thereof, shall be known as and may be cited and referred to as, the Zoning Ordinance of the Town of Warrenton, Virginia.

1-2 Authority.

By act of the General Assembly of Virginia as provided in § 15.2-2280 of the Code of Virginia, any locality may, by ordinance, classify the territory under its jurisdiction or any substantial portion thereof into districts of such number, shape and size as it may deem best suited to carry out the purposes of this article, and in each district it may regulate, restrict, permit, prohibit, and determine the following:

1. The use of land, buildings, structures and other premises for agricultural, business, industrial, residential, flood plain and other specific uses;
2. The size, height, area, bulk, location, erection, construction, reconstruction, alteration, repair, maintenance, razing, or removal of structures;
3. The areas and dimensions of land, water, and air space to be occupied by buildings, structures and uses, and of courts, yards, and other open spaces to be left unoccupied by uses and structures, including variations in the sizes of lots based on whether a public or community water supply or sewer system is available and used; or
4. The excavation or mining of soil or other natural resources.

1-3 Purpose.

The Town Council of the Town of Warrenton, Virginia, hereby ordains that for the purpose of promoting the health, safety, and general welfare of the public, and of further accomplishing the objectives of § 15.2-2283 of the Code of Virginia, that Chapter 20 of the Code of the Town of Warrenton entitled "Zoning Ordinance" be amended. In accord with the State Code, this Ordinance has been designed:

- 1.3.1. to provide adequate light, air, convenience of access, and safety from fire, flood, crime and other dangers;
- 1.3.2. to reduce or prevent congestion in the public streets;
- 1.3.3. to facilitate the creation of a convenient, attractive, and harmonious community;
- 1.3.4. to facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports, and other public requirements;
- 1.3.5. to protect against destruction of or encroachment upon historic areas;
- 1.3.6. to protect against the overcrowding of land, undue density in population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health, or property from fire, flood, panic, or other dangers;
- 1.3.7. to encourage economic development activities that provide desirable employment and enlarge the tax base.
- 1.3.8. to provide for the preservation of lands of significance for the protection of the natural environment; and
- 1.3.9. to promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the locality as well as a reasonable proportion of the current and future needs of the planning district within which the locality is situated.

1-4 Legislative Intent.

The fundamental intent of the Town of Warrenton's Zoning Ordinance is to implement the ~~goals and objectives~~ purposes set forth in Section 1-3 of this Ordinance as well as the adopted Comprehensive Plan for the Town of Warrenton, Virginia. It is the Town Council's intent that physical development within the Town proceed according to the regulations outlined in the subsequent articles.

1-5 Applicability.

The regulations and restrictions in this Ordinance shall apply to all buildings, structures, land, water and uses within the incorporated area of the Town of Warrenton, Virginia, excepting those areas determined by law to be under the sole and sovereign control of the United States of America or the Commonwealth of Virginia.

1-6 Validity of Ordinance. *[formerly 32-1]*

Should any section of provisions of this Ordinance be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

1-7 Conflicting Ordinances. *[formerly 32-2]*

It is not intended by this Ordinance to repeal, abrogate, annul, or interfere with any existing ordinance or enactment, or with any rule, regulation, or permit adopted or issued thereunder, except insofar as the same may be inconsistent or in conflict with any of the provisions of this Ordinance, provided that where this Ordinance imposes greater restriction upon the use of buildings or land, or upon the height and bulk of buildings, or prescribes larger open spaces than are required by the provisions of such ordinance, enactment, rule, regulation, or permit, then the provisions of this Ordinance shall control.

1-8 Severability.

Should any section or provision of this Ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity or application of the remainder of the Ordinance as a whole or any part thereof.

1-9 Repealer Amendments. *[formerly 32-3]*

1-9.1 All conflicting ordinances or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed.

1-9.2 At the effective date of this Ordinance, the previously existing Town of Warrenton Zoning Ordinance is hereby amended as contained in the amendments adopted, and this Ordinance replaces it in its entirety. Further, all property in the Town of Warrenton shall retain its zoning district classification, , except as amended and otherwise adopted in conjunction with the Ordinance amendments adopted on the effective date.

1-10 Effective Date. *[formerly 32-4]*

~~The effective date of this Ordinance shall be from and after the passage and legal application, and its provisions shall be in force thereafter until repealed.~~

~~This Zoning Ordinance of Warrenton, Virginia, shall be effective at or after 12:01 a.m., March 15, 1991.~~

The “effective date” of the Ordinance shall be from the adoption of the comprehensive amendments on 2005, 2005, 12:01 a.m., and these provisions shall be in force thereafter until repealed.